

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

U.S. Ethernet Innovations, LLC,)	
)	
Plaintiff,)	Civil Action File No.
)	
vs.)	6:10-cv-86-LED-JDL
)	
AT&T Mobility, LLC, et al.,)	
)	
Defendants.)	<u>JURY TRIAL DEMANDED</u>
)	
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CONSENT ORDER ON MOTIONS TO TRANSFER

Whereas, Plaintiff U.S. Ethernet Innovations, LLC (“USEI”) brought this action against Defendants, alleging infringement of United States Patent Nos. 5,307,459 (the “‘459 Patent”), 5,434,872 (the “‘872 Patent”), 5,732,094 (the “‘094 Patent”), and 5,299,313 (the “‘313 Patent”) (collectively, the “Patents-in-Suit”).

Whereas, a similar action brought by USEI against several defendants for alleged infringement of the Patents-in-Suit was recently transferred from this Court to the Northern District of California. *U.S. Ethernet Innovations, LLC v. Acer Inc., et al.*, No. C-10-03724-JW, Dkt. No. 310 (the “Acer Litigation”).

Whereas, the Acer Litigation is currently pending before the Honorable James Ware in the Northern District of California.

Whereas, two motions to transfer this action to the Northern District of California filed by Defendants are currently pending before this Court. (Dkt. Nos. 156 and 157).

Whereas, Defendants argue in their motions to transfer that Northern California is a more convenient forum for this action.

Whereas, USEI withdraws its opposition to Defendants' motions to transfer and consents to the transfer of this action to Judge Ware in the Northern District of California.

Whereas, Defendants withdraw any request for relief associated with their motions to transfer other than the transfer of this action to Judge Ware in the Northern District of California.

Now therefore, it is stipulated and agreed:

This action be transferred to the Honorable James Ware of the United States District Court for the Northern District of California

[SIGNATURES ON FOLLOWING PAGE]

Dated: October 25, 2010

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* * * * *

ORDER

Pursuant to stipulation, IT IS SO ORDERED.